

**United States Bankruptcy Court
Eastern District of Wisconsin
Local Bankruptcy Rules Committee
Federal Court House, Room 482
November 22, 2005 at 3:00p.m.**

In attendance: Christine Wolk (telephone), Thomas King, Christopher Austin, Jeffrey Nordholm (Chair), Brett Pfeifer, Hon. Margaret D. McGarity, David Asbach, Mary Grossman (Reporter).

Chris Austin reported that he had a red-lined version of the local rules available for review. He asked that each person who proposed a change to the rules review the red-lined version to be sure it is accurate. He also indicated that the committee should prepare comments that describe the reason for specific changes to the rules.

Judge McGarity stated that the specific amount of the presumed reasonable fee in chapter 13 cases should be in the appendix to the local rules rather than in the rule itself to facilitate any subsequent changes to the amount. Brett Pfeifer moved to eliminate LR 2016.1 and to include the language of that rule in the appendix to the local rules. Mary Grossman seconded the motion and the committee members in attendance voted unanimously in favor of the motion.

The committee then appointed a subcommittee to develop a model Chapter 13 plan and a confirmation order that comply with the changes to the Bankruptcy Code. The members of that subcommittee are as follows:

Brett Pfeifer (Chair)
Thomas King
Mary Grossman
Christine Wolk
Shannon Cummings
Jeff Nordholm

The committee next considered whether the amendments to the Bankruptcy Code created a need for any changes to the list of motions or applications for which a hearing is required (LR 9013.2(b)). No changes were suggested at this meeting. Dave Asbach agreed to study this question and report his findings to the committee.

Jeff Nordholm then turned the chair over to Chris Austin and moved for adoption of the proposed changes to LR 9014 (Notice of Motion; Notice of Hearing; Time Periods for Objections; Form of Objections). Christine Wolk seconded the motion and the committee members in attendance voted unanimously in favor of the motion.

The committee next considered the proposed amendment to LR 1009 requiring service of amendments to the Petition, Schedules and Statement of Financial Affairs as well as

notice of commencement of the case on any creditors added by the amendments and service of all amendments on the trustee. The committee proposed to add language regarding service of the Chapter 13 plan on added creditors as well. Jeff Nordolm moved for adoption of these additions and Mary Grossman seconded the motion. The committee members in attendance voted unanimously in favor of this change.

A discussion of possible changes to LR 1002.2 and whether the administrative procedures regarding electronically filed cases could replace this rule followed. Chris Austin will redraft LR 1002.2.

The committee then discussed the remaining items to be addressed at the next meeting. Those items are as follows:

- ! Consideration of the need for a declaration in support of discharge.
(Nordholm)
- ! Correcting LR 1007.1 so that it refers to Schedules I and J rather than “the statement of current income and expense.”
- ! Further study of possible changes regarding electronic filing documentation (LR 1002.2 – Austin) and motion practice (LR 9013.2 – Asbach)

David Asbach asked that the Court change the standing order regarding information to be provided to trustees to require submission of pay stubs and tax returns to trustees in all cases.

The next meeting will be on Monday, December 12, 2005 at 3:00 p.m.